

Express Mail No. EV335856233US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Burrell

Confirmation No.: 4511

Serial No.: 08/284,199

Art Unit: 1638

Filed: August 2, 1994

Examiner: David T. Fox

For: MODIFICATION OF PLANT  
METABOLISM

Attorney Docket No: 9341-005-999

FEE TRANSMITTAL SHEETCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The fee required to be filed with the accompanying amendment of even date herewith concerning the above-identified application has been estimated to be \$0.00.

The claim amendment fee has been estimated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)		<input type="checkbox"/> SMALL ENTITY	<input checked="" type="checkbox"/> OTHER THAN A SMALL ENTITY		
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID		PRESENT EXTRA	RATE	ADDIT. FEE	OR	RATE	ADDIT. FEE
TOTAL	37	MINUS	37	0	x 9	\$		x 18	\$
INDEP.	9	MINUS	9	0	x 42	\$		x 84	\$
						\$			\$
						\$			\$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM						TOTAL	\$	OR	TOTAL
						\$			\$

Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,

Date: July 14, 2003

By:

Samuel B. Abrams 30,605  
Samuel B. Abrams (Reg. No.)  
Margaret B. Brivanlou 40,922  
Margaret B. Brivanlou (Reg. No.)  
PENNIE & EDMONDS LLP  
1155 Avenue of the Americas  
New York, NY 10036-2711  
(212) 790-9090

TELEFACSIMILE LETTER FROM  
PENNIE AND EDMONDS LLP  
1155 Avenue of the Americas  
New York, New York 10036  
Telephone Number (212) 790-9090  
Fax Nos.: (212) 869-9741/8864

*official  
copy  
received  
8/18/03  
[Signature]*

TO: Mr. David T. Fox  
United States Patent and Trademark Office  
Washington, D.C. 20231

FAX NO.: 1 (703) 746-5060

FROM: Joseph Cahill  
on behalf of Laura A. Coruzzi

PAGES: 87 (including Cover Sheet) DATE: August 18, 2003

Application of: Burrell

Confirmation No.: 4511

Serial No.: 08/284,199

Art Unit: 1638

Filed: August 2, 1994

Examiner: David T. Fox

For: MODIFICATION OF PLANT  
METABOLISM

Attorney Docket No: 9341-005-999

Dear Mr. David T. Fox:

Per your voice mail message to Dr. Laura Coruzzi on August 13, 2003 regarding response to the Office Action dated January 13, 2003, we have attached per your request copies of the following documents which were filed with the USPTO on July 14, 2003 via express mail.

1. Response under 35 U.S.C. § 1.111;
2. Exhibit A: Declaration Under Rule 37 C.F.R. § 1.132 of Dr. Stephen Andrew Coates together with appendices 1, 2, and 3;
3. Exhibit B: a copy of a first Declaration Under Rule 37 C.F.R. § 1.132 of Dr. Michael Meyrick Burrell executed June 22, 1996 and originally filed in U.S. application no. 08/192,493;
4. Exhibit C: a copy of a second Declaration Under Rule 37 C.F.R. § 1.132 of Dr. Michael Meyrick Burrell executed February 25, 1997;
5. Petition for Extension of Time for a period of three months with fee;
6. Amendment Fee Transmittal sheet;
7. Information Disclosure Statement;
8. List of References Cited by applicant;
9. Copy of Pennie & Edmonds Express Mail Certification log with copy of Express Mail Receipt with the Post Office Stamp dated July 14, 2003; and
10. Copy of return receipt yellow post card stamped July 14, 2003 by the PTO

Copy of references A01 and C01-C19 were also submitted, copies of which are available upon request.

If you have any problems receiving this document, please telephone the sender at (212) 790-2907.

NY2: 1456429.1

DATE: JULY 14, 2003

THE EXPRESS MAIL NUMBER OF THE DAY IS: EV 335 856 233 US EV335856233US

THE PERSON TAKING EXPRESS MAIL TO THE POST OFFICE IS: ANTHONY ALI

## EXPRESS MAIL CERTIFICATION

"Express Mail" label No. EV 335 856 233 US Date of Deposit JULY 14, 2003 I hereby certify that the below-listed papers or fees were inserted into a package that was addressed to the Commissioner For Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 and was deposited by me with the United States Postal Service "Express Mail Post Office Addressee" service under 37 C.F.R. 1.10 on the date indicated above.

Signature: Anthony Ali Date: 7-14-03

HWANG	10766-003 <i>em wfi</i>	AMENDMENT IN RESPONSE TO AN OA DATED 1/13/03, REQUEST FOR CONTINUED EXAMINATION, PETITION FOR THE EXT OF TIME OF THREE (3) MONTHS FROM 4/13/03 TO 7/13/03	/	<i>ak</i>
CORUZZI BENN DITCH	6923-071 <i>wfi</i>	AMENDMENT IN RESPONSE TO AN OA DATED 1/14/03 WITH TWO (2) EXHIBITS, PETITION FOR THE EXT OF TIME OF THREE (3) MONTHS FROM 4/14/03 TO 7/14/03	/	<i>ak</i>
CORUZZI TSANG RYAN	10182-004 <i>wfi</i>	AMENDMENT IN RESPONSE TO AN OA DATED 1/14/03 WITH ONE (1) EXHIBIT, PETITION FOR THE EXT OF TIME OF THREE (3) MONTHS FROM 4/14/03 TO 7/14/03 WITH DUPLICATE	/	<i>ak</i>
CORUZZI TSANG RYAN	10182-004 <i>wfi</i>	SUBMISSION OF FORMAL DRAWINGS, SEVEN (7) SHEETS OF SIX (6) FIGS AND A COPY OF THE NOTICE OF DRAFTSPERSON'S PATENT DRAWING REVIEW	/	<i>ak</i>
HE	8073-090 <i>wfi</i>	RESPONSE TO NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATION	/	<i>ak</i>
ANTLER THOMANN	7326-117 <i>BoA 9/14/03 wfi</i>	NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES, PETITION FOR THE EXT OF TIME OF THREE (3) MONTHS FROM 4/14/03 TO 7/14/03	/	<i>ak</i>
BALDWIN	8002-063 <i>BoA 9/14/03 wfi</i>	NOTICE OF APPEAL, PETITION FOR THE EXT OF TIME OF THREE (3) MONTHS FROM 4/15/03 TO 7/15/03	/	<i>ak</i>
MOLARO	11200-003 <i>wfi</i>	AMENDMENT IN RESPONSE TO AN OA DATED 5/12/03	/	<i>ak</i>
ABRAMS BRIVANLOU CAHILL	9341-005 <i>wfi</i>	IDS WITH PTO FORM 1449 AND REFS CITED BY APPLICANT, AMENDMENT IN RESPONSE TO AN OA DATED 1/13/03 WITH THREE (3) EXHIBITS, PETITION FOR THE EXT OF TIME OF THREE (3) MONTHS FROM 4/13/03 TO 7/13/03 WITH DUPLICATE	/	<i>ak</i>

EV 335856233 US



ORIGIN (POSTAL USE ONLY)		DELIVERY (POSTAL USE ONLY)	
PO ZIP Code <b>10017</b>	Day of Delivery <input type="checkbox"/> Next <input checked="" type="checkbox"/> Second	Delivery Attempt Mo. Day Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM Employee Signature
Date In <b>7-14-03</b>	Postage 13 Mon <input type="checkbox"/> 2 PM <input type="checkbox"/> \$	Mo. Day Delivery Date	Time <input type="checkbox"/> AM <input type="checkbox"/> PM Employee Signature
Time In <b>1222</b>	Return Receipt Fee	Mo. Day Delivery Date	Time <input type="checkbox"/> AM <input type="checkbox"/> PM Employee Signature
<input type="checkbox"/> AM <input type="checkbox"/> PM	Weight <b>8 10</b> lbs	<input type="checkbox"/> WAIVER OF SIGNATURE (Consent Only) Additional merchandise insurance is void if waiver of signature is requested. It voids delivery to be made without generating signature of addressee or addressee's agent. If delivery employee judges that article can be left in secure location and if addressee's signature constitutes valid proof of delivery.	
No Delivery <input type="checkbox"/> (Weekend) <input type="checkbox"/> Holiday	Acceptance Clerk Initials <b>MN</b>	NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday Customer Signature	
CUSTOMER USE ONLY		Federal Agency Acct. No. or Postal Service Acct. No.	
METHODS OF PAYMENT		FROM: (PLEASE PRINT)	
Express Mail (Corporate Acct. No.)		TO: (PLEASE PRINT)	
212 790 2042		PHONE ( )	
PER 12 & SUMMERS LLP 1150 AVENUE OF THE AMERICAS 11th Fl NEW YORK, NY 10036-2720		COMMISSIONER FOR PATENTS PM BOX 1400 ALBANY, NY 12212-1400	

Express Mail No.: EV335856233US

Date Mailed: July 14, 2003

Serial No. 08/284,199

Filed: August 2, 1994

Inventor: Burrell

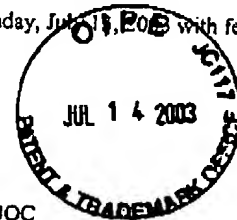
For Modification of Plant Metabolism

The stamp of the Patent Office hereon shall be taken as an acknowledgment on the date stamped receipt of the following:

- Response Under 37 C.F.R. § 1.111;
- Exhibit A: a Declaration Under Rule 37 C.F.R. § 1.132 of Dr. Stephen Andrew Coates together with Appendices 1, 2, and 3;
- Exhibit B: a copy of a first Declaration Under Rule 37 C.F.R. § 1.132 of Dr. Michael Meyrick Burrell executed June 22, 1996 and originally filed in U.S. application no. 08/192,493;
- Exhibit C: a second Declaration Under Rule 37 C.F.R. § 1.132 of Dr. Michael Meyrick Burrell executed February 25, 1997;
- Petition for Extension of time for three months from April 13, 2003 to Sunday, July 13, 2003 with fee (in duplicate);
- Amendment Fee Transmittal (in duplicate);
- Information Disclosure Statement with Fee (in duplicate);
- List of References Cited by Applicants; and
- copy of references A01 and C01-C19.

File no.: 9341-005-999

Sender: SBA/MEB/JOC



5:04 PM 8/18/03 Transmission Record  
Received from remote ID "212 869 9741"  
Unique ID: "DF03F4107381454"  
Elapsed time: 27 minutes, 23 seconds.  
Used channel 6.  
No ANI data.  
No AOC data.  
Resulting status code (0): No Errors  
Pages sent: 1 - 86

*received*  
*8/18/03*  
*DJF*